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Attorneys for the Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
GIL RIVAS-APARICIO,)
)
Defendant.)
)

No. CR 11-0732 RS

**STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME UNDER 18
U.S.C. § 3161**

The defendant appeared for a status conference before this Court on November 15, 2011. Defense counsel requested that this matter be continued to November 29, 2011. The Government did not object to the continuance. Defense counsel provided reciprocal discovery to the Government and believed that the documents could affect the outcome of the litigation. The Government needed time to review the documents. The parties have agreed to exclude the period of time between November 15, 2011 to November 29, 2011, from any time limits applicable under 18 U.S.C. § 3161. Defense counsel represented that granting the exclusion would allow the reasonable time necessary for effective preparation. See 18 U.S.C. §

1 3161(h)(7)(B)(iv). The parties also agree that good cause exists, and that the ends of justice
2 served by granting such an exclusion of time outweigh the best interests of the public and the
3 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). At the hearing, the Court made findings
4 consistent with this agreement.

5 SO STIPULATED:

6
7 MELINDA HAAG
United States Attorney

8
9 DATED: November 21, 2011

/s/
10 SUSAN PHAN
Special Assistant U.S. Attorney

11
12 DATED: November 21, 2011

/s/
13 CHRISTOPHER F. MORALES
Attorney for GIL RIVAS-APARICIO

~~PROPOSED~~ ORDER

For the reasons stated above at the November 15, 2011 status conference, the Court finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from November 15, 2011 to November 29, 2011 is warranted and that good cause exists, and the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A).

IT IS SO ORDERED.

DATED: 11/23/11


RICHARD SEEBORG
United States District Judge